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REMARKS

This amendment is responsive to the official action dated March 23, 2004.

Claims 1-30 were pending in the application. Claims 1-30 were rejected.

No claims were allowed by the Examiner.

By way of this amendment, the Applicant has canceled claims 24-30.

Accordingly, Claims 1-23 are currently pending.

I. REJECTION OF CLAIMS UNDER 35 USC 102(e)

Claims 24-30 were rejected under 35 USC 102(e), as being anticipated by US Patent No. 5,991,736 (Ferguson et al.).

Claims 24-30 have been canceled. Accordingly, the rejection is believed to be moot.

II. REJECTION OF CLAIMS UNDER 35 USC 103

Claims 1-23 were rejected under 35 USC 103(a) as being unpatentable over US Patent No. 5,991,736 Ferguson et al.).

Ferguson et al discloses a patronage incentive award system whereby awards can be transferred to an investment account (such as an IRA).

The Examiner acknowledges that Ferguson fails to explicitly specify an investment system for use in connection with a Casino.

However, the Examiner takes Official Notice that providing an investment account in connection with an entertainment service is old and well known in the art. Applicant challenges this Official Notice and requests that the Examiner provide at least one example of an investment account associated with an entertainment service, such as a gambling venue. Applicant submits that the Examiner's position can not be supported.

The Examiner also states that it would have been obvious to include a Casino in the Ferguson invention because "Fig. 4" has an entertainment category.

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Applicant points out that Ferguson DOES NOT have a Fig. 4 (there is only one drawing figure), and furthermore, does not make any mention whatsoever of an entertainment category in the description of patrons or vendors who would utilize such a system.

Even if Ferguson did mention an entertainment category, it is hindsight to state that an entertainment category would include a Casino in the context of a retirement/investment system. Again, assuming arguendo that the Examiner could support the leap from Entertainment to Casino, there is no support whatsoever to find that the Applicant's specific dependent claims regarding card rating methods, establishing formulas for conversion of rating points to investment points, investment chip betting methods, etc would be obvious under any circumstances.

Reconsideration and withdrawal of the rejection is respectfully solicited.

III. CONCLUSION

Accordingly, claims 1-23 are believed to be in condition for allowance and the application ready for issue.

Corresponding action is respectfully solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #02-0900.

Respectfully submitted,



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